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## CASHEW PRODUCTS EXPORT GRADING AND MARKING RULES

India's Cashew Export Promotion Council put into effect April 1, 1963 quality control for cashew exports. Cashew kernels intended for export will be subject to pre-shipment inspection and quality control, under the Cashew Products Export Grading and Marking Rules. All consignments of cashew kernels will bear the Cashew Export Promotion label and will be accompanied by a certificate issued by the Cashew Export Promotion Council.

Following is a reprint of these rules.

THE CASHEW EXPORT PROMOTION COUNCIL

CASHEW PRODUCTS EXPORT GRADING AND MARKING RULES  
1962

1. Short Title and Application:

These Rules may be called "The Cashew Products Export Grading and Marking Rules 1962". They shall be made applicable to different cashew products from time to time. For the present these Rules shall apply to cashew kernels produced or processed in India for export and shall not apply to the export of cashew kernels which are roasted, salted or otherwise prepared in consumer packing.

2. Definitions:

- (a) Schedule means a schedule to these Rules.
- (b) Grade designations: The quality of cashew kernels shall be set out in the form of grade designations. For the purpose of these rules they are set out in Schedules 1 to 6.
- (c) Quality: By quality is meant the quality indicated by the grade designations as set out against each grade designation, in Schedules 1 to 6.
- (d) CEP Mark: CEP Mark shall mean a symbol used to indicate a quality control marking given by the Cashew Export Promotion Council, resembling that set out in Schedule 7.
- (e) Authorized Packer: An authorized packer is an individual or firm or organization, registered as an authorized packer with the Cashew Export Promotion Council in accordance with these Rules.
- (f) Inspector: Inspector means an inspector or inspecting officer or any member of the staff of the Council authorized by the Council to conduct inspection of cashew products as provided in these Rules.

3.1 Certificate of Authorization:

Packers desirous of grading cashew kernels shall apply for a certificate of authorization in the prescribed form to the Secretary, Cashew Export Promotion Council.

3.2 The Cashew Export Promotion Council shall after satisfying itself of the merits of the applicant, approve of the applicant's registration as an authorized packer. To qualify for such registration, an authorized packer shall have suitable arrangements for the roasting, peeling, grading, disinfecting and packing in an inert atmosphere of cashew kernels and storage of the packed containers.

3.3 A certificate of authorization issued to a packer shall be normally valid for a calendar year. Applications for the renewal of certificate of authorization by an authorized packer, for the succeeding year, should be submitted in the prescribed form, in duplicate to the Secretary, Cashew Export Promotion Council, not later than the 10th of December each year.

3.4 Applications for grading and marking at any new premises or deletion of premises included in the certificate of authorization shall be submitted to the Cashew Export Promotion Council, together with the certificate of authorization as and when necessary.

3.5 All applications for grant, renewal or amendment of certificate of authorization shall be considered by the Committee of Administration of the Cashew Export Promotion Council.

3.6 Certificates of authorization shall be issued by the Secretary of the Council under his signature or under the signature of any other person authorized in this behalf by the Council, after the Committee of Administration has approved of the registration. Each certificate shall state (a) the name and address of the authorized packer, (b) the articles to which the grade designation may under the certificate be applied, (c) the period for which the certificate is valid, and (d) the details of the premises at which the grade designation marks may be applied.

3.7 The issue of a certificate of authorization shall be subject to the following conditions:

THAT

- (a) The authorized packer shall have suitable arrangements for grading and packing in an inert atmosphere, of cashew kernels and for the safe storage of the packed containers. He shall further see that the processing, peeling and grading premises as well as processing equipment and accessories belonging to him are maintained in sanitary and hygienic conditions.



- (b) The authorized packer shall provide suitable facilities to any person authorized in this behalf by the Cashew Export Promotion Council for sampling and testing of lots of packed and labelled cashew kernels, to ascertain whether the CEP MARK labels have been fixed to the containers containing cashew kernels of the grade designation to which the label relates.
- (c) The authorized packer shall observe all instructions issued by the Cashew Export Promotion Council from time to time regarding grading packing, labelling etc.
- (d) The authorized packer shall keep a record of the number of packages marked with each grade designation mark and shall allow any person authorized by the Cashew Export Promotion Council, to examine such records.
- (e) The certificate of authorization shall be preserved carefully by the packer and returned to the Cashew Export Promotion Council, if not required to be renewed within a week of the date of its expiry.

#### 4. Grade Designation Marks:

4.1. The Grade Designation Mark shall consist of a label bearing a design with the word CEP MARK resembling that set out in Schedule 7.

#### 5. Method of Marking:

5.1 The Grade Designation Mark, i.e. the CEP Mark shall be securely affixed to each container in the manner approved by the Cashew Export Promotion Council. In addition to the CEP Mark, each container shall be marked with such particulars and in such manner as may be specified by the Cashew Export Promotion Council from time to time.

5.2 The Authorized Packer may, after obtaining the previous approval of the Cashew Export Promotion Council mark his private trade mark on a container in a manner approved by the Council provided that the private trade mark does not represent a quality or grade of cashew kernels different from that indicated by the Grade Designation Mark affixed on the container in accordance with these rules.

5.3 Only new, clean and dry leak-proof tins shall be used for packing. Each tin shall be securely closed and sealed in a manner approved by the Cashew Export Promotion Council from time to time. The wooden or cardboard box in

which the tins are packed shall also be stencilled to indicate that the tins have been CEP Marked. Cashew kernels of only one grade shall be packed in one box.

5.4 Cashew kernels will be packed in four-gallon tin containers of 25 lbs. net capacity for bulk exports except in the case of White Baby Bits in which case 28 lbs. net may be packed in each tin. In the case of consumer packings, if the Authorized Packer desires to use tins of different capacities, the approval of the Council should be taken.

5.5 The Authorized Packer should ensure that the containers used are free from insect infestation or mold and are also free of rust.

6.1 All Authorized Packers shall grade Cashew kernels in accordance with the quality standards laid down and shall affix the appropriate CEP mark labels on tin containers as soon as they are packed. The labels will be issued by the Cashew Export Promotion Council to all authorized packers on payment of the prescribed charges. The authorized packer should indent for the labels required by him in the prescribed requisition form.

6.2 All Authorized packers shall keep sufficient stocks of labels for all grades obtained from the Cashew Export Promotion Council on payment of the prescribed fees. They shall be kept in safe custody and serially arranged for facilitating easy checking. Labels must always be used in strict serial order. Should any label be destroyed or not used for some other reasons it should be brought to the notice of the Cashew Export Promotion Council immediately. Under no circumstances will a refund be made to authorized packers for labels destroyed or which cannot be used for any other reason. In the event of an authorized packer stopping cashew business, the Council may take over the unused labels held in stock by the authorized packer at the time of stoppage of business and value thereof refunded to the packer.

6.3 The labels shall be affixed on all tin containers using special adhesive which will also be supplied by the Cashew Export Promotion Council.

6.4 Grade designation mark corresponding to the grade designation labels affixed on the tin containers will also be stencilled on the wooden cases in which the tins are packed, e.g. W-210 CEP MARK.

6.5 If an authorized packer desires to insert or affix a private trade mark, he may do so, provided that the private trade mark does not represent a quality of grade of cashew kernels different from that indicated by the grade designation mark affixed on or inserted in the container.

6.6 Only tins and cases of cashew kernels bearing the CEP MARK labels and having the CEP MARK stencilled will be allowed to be exported by the Customs Authorities who will be at liberty to open not more than 1 percent of the cases offered for shipment to ensure that the CEP MARKS stencilled on the cases correspond to the CEP MARK labels affixed on the respective tin containers. The inspector appointed by the Council shall have authority to open any case or tin presented to the Customs before such case or tin is exported to satisfy himself that the tins contain kernels of the quality and grade described in the CEP MARK.

## 7. Inspection:

7.1 The Cashew Export Promotion Council shall set up an Inspectorate with Head Quarters at the Head Office of the Council for the purpose of carrying out routine inspection of the quality and standard of cashew kernels processed at factories and packed at the premises of the various authorized packers.

7.2 The Inspecting staff located at centers where grading and packing of cashew kernels are carried out, shall inspect the premises of every authorized packer as frequently as possible and at least once a week and carry out random checking of stocks of cashew kernels which have been graded and marked in accordance with these rules. Provided the inspector is satisfied that the quality standards are being maintained, he shall record his opinion in the stock register of the authorized packer after the inspection is carried out.

7.3 For such inspection tin containers containing cashew kernels graded and marked according to these rules shall be opened at random but subject to a maximum of one percent of the number of tins of each grade in stock at the time of inspection.

7.4 In the event of there being any doubt about standard of the quality, the inspector may draw the attention of the authorized packer and in consultation with him, open further tin containers of the grade in dispute. If he is still not satisfied, he shall draw three samples of not less than 1 lb. each and forward one sample to the Cashew Export Promotion Council, retaining one sample with him and handing over one counter-sample to the authorized packer. The sample sent to the Cashew Export Promotion Council will be examined by the Inspectorate of the Council and the decision thereof communicated to the authorized packer within 72 hours of despatch of the sample, failing which the authorized packer is at liberty to ship the goods in dispute.

7.5 In the event of the Inspectorate of the Cashew Export Promotion Council finding the quality to be not up to standard, the matter will be placed before the Advisory Panel for further action as indicated in paragraph 9 below.



## 8. Maintenance of Records:

8.1 The authorized packer shall maintain an up-to-date record of the number of packages graded giving the following particulars:

1. Date of labelling.
2. Serial number of CEP MARK labels affixed according to the trade description and grade.

8.2 The authorized packer shall also maintain a stock book of all CEP MARK labels received showing the daily issue and balances according the grade specifications.

8.3 All records referred to in paragraphs 8.1 and 8.2 above shall be made available as and when required to the Inspecting staff of the Council or any other person authorized in this behalf by the Council.

## 9. Advisory Panel:

9.1 There will be four Advisory Panels to start with. They will be:

- i) Quilon Panel: with jurisdiction over the districts of Trivandrum, Quilon and Alleppey of Kerala State and Kanyakumari district of Madras State;
- ii) Calicut Panel: with jurisdiction over the districts of Trichur, Palghat, Calicut and Cannanore of Kerala State;
- iii) Mangalore Panel: with jurisdiction over Mysore, Maharashtra and Goa; and
- iv) Cochin Panel: with jurisdiction over the entire country except the specific areas covered by the other Panels.

9.2 Each Panel shall consist of not less than three and not more than 7 members.

9.3 The members of each Panel will be appointed by the Committee of Administration of the Export Promotion Council. The members of the Panels need not necessarily be members of the Administration Committee, but must be from among the authorized packers.

9.4 Every member appointed to a Panel will hold office normally for a period of two years and shall be eligible for re-appointment.

9.5 The functions of the Panels will be:

- (a) To advise and help the preparation of the standard samples of the Commodity according to the trade description and grades laid down; and
- (b) To arbitrate in cases of dispute regarding any particular lot(s).

9.6 All disputes between the authorized packers and the inspecting staff of the Council regarding the grade or quality of the packed stocks shall in the first instance be referred to the Convenor of the Advisory Panel concerned. It will then be the responsibility of the convenor of the Advisory Panel to convene a meeting of the Panel to investigate and give its findings on the dispute. In case the party to the dispute happens to be a member of the Panel, he shall be excluded from participating in the deliberations of the Panel. No decision of the Panel shall be final unless there are at least two members present at the meeting.

9.7 In case the Panel has not been able to meet and take a decision within 7 days of the reference of the case to the Panel, the authorized packer concerned shall have the right to place the matter before the Chairman of the Council. In such an event the Chairman himself or a member of the Committee nominated by him shall arbitrate on the dispute and give a decision which shall be final.

#### 10. Inspectorate:

10.1 The set-up of the regional offices and the jurisdiction relating thereto shall be as set out in Appendix IV to start with. The organizational set-up will be modified from time to time by the Council according to necessity.

#### 11. Penalty:

11.1 Breach of any of the instructions contained in these rules or that may be issued by the Council in this regard from time to time shall result in the cancellation of the Certificate of Authorization of the authorized packer concerned.

11.2 Counterfeiting of any grade designation mark or possession of any die, plate or other instrument for purpose of counterfeiting by any authorized packer shall result in the cancellation of the Certificate of Authorization of the authorized packer concerned.

11.3 In the event of any dispute arising between a seller and a foreign buyer regarding the quality of cashew kernels shipped by the former, the matter shall be brought to the notice of the Chairman or his nominee who shall examine the case and take a decision. In the event of any authorized packer failing to comply with such decision, his Certificate of Authorization shall be cancelled.

11.4 The CEP MARK labels are not transferable and any contravention of this condition by any authorized packer will result in the cancellation of the Certificate of Authorization of the authorized packer concerned.

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#### SCHEDULE I

See rules 2(b) 2(c)

Grade designations and definitions of quality of  
cashew kernels (wholes)

Grade Designation	Number of kernels per lb.	General characteristics
W 210	200/210	Cashew kernels shall have been obtained through shelling and peeling cashewnuts. ( <u>Anacardium occidentale</u> ), shall have the characteristic shape; shall be white, pale ivory or light ash in color reasonably dry, and free from insect damage, damaged kernels and black or brown spots. The kernels shall be completely free from testa.
W 240	220/240	
W 280	260/280	
W 320	300/320	
W 400	350/400	
W 450	400/450	
W 500	450/500	

Tolerance: Broken kernels and kernels of the next lower grade if any shall not together exceed 5 percent at the time of packing.

SCHEDULE II

See rules 2(b) 2(c)

Grade designations and definitions of quality of  
scorched cashew kernels (wholes)

Grade Design- nation	Trade Name	General characteristics
SW	Scorched Wholes	Cashew kernels shall have been obtained through shelling and peeling cashewnuts. ( <u>Anacardium occidentale</u> ); shall have the characteristic shape; shall be reasonably dry and free from insect damage, damaged kernels and black spots and testa. The kernels may be light brown, light ivory, light ash or deep ivory in color due to scorching as a result of over heating.

Tolerance: Broken kernels and kernels of the next lower grade if any shall not together exceed 5 percent at the time of packing



SCHEDULE III

See rules 2(b) 2(c)

Grade designation and definitions of quality of  
dessert cashew kernels (Wholes)

Grade Design- nation	Trade Name	Blemish	General Characteristics
SSW	Scorched wholes Seconds or Scorched wholes 1 A	Slightly shrivelled kernels.	Cashew kernels shall have been obtained by shelling and peeling cashewnuts. ( <u>Anacardium occidentale</u> ); shall have the characteristic shape; shall be reasonably dry and free from insect damage and testa. Slightly scorched kernels and kernels with slight-speckling and discoloration permitted. They shall be completely free from rancid kernels. The kernels may also be immature. The kernels may be light brown, light blue or light ivory in color due to scorching.
DW	Dessert Wholes		Cashew kernels shall have been obtained by shelling and peeling cashewnuts. ( <u>Anacardium occidentale</u> ); shall have the characteristic shape, shall be reasonably dry and free from insect damage and testa. Scorched, discolored, speckled and shrivelled kernels permitted. Rancid kernels not permitted. The kernels may show deep black spots.

Tolerance: Broken kernels or kernels of the next lower grade if any shall not together exceed 5 percent at the time of packing.

SCHEDULE IV

See rules 2(b) 2(c)

Grade designations and definitions of quality of  
cashew kernels (White pieces)

Grade design- ation	Trade Name	Description	General Characteristics
B	Butts	Kernels broken crosswise and naturally attached.	Cashew kernels shall have been obtained by shelling and peeling cashewnuts ( <u>Anacardium occidentale</u> ); shall be white, pale ivory or light ash in color reasonably dry and free from insect damage, damaged kernels and black spots. The pieces shall be completely free from testa.
S	Splits	Kernels split naturally lengthwise	
LWP	Large white pieces	Kernels broken into more than two pieces and not passing through a 4 mesh 16 SWG sieve.	
SWP	Small white pieces	Broken kernels smaller than those described as LWP but not passing through a 6 mesh 20 SWG sieve.	
BB	Baby bits	Flemules and broken kernels smaller than those described as S. W. but not passing through a 10 mesh 26 SWG sieve.	

Tolerance: Up to 5 percent of the next lower grade or pieces at the time of packing.

SCHEDULE V

See rules 2 (b) 2(c)

Grade designations and definitions of quality  
of cashew kernels (Scorched pieces)

Grade design- ation	Trade name	Description	General Characteristics
SB	Scorched butts	Kernels broken cross wise and naturally attached	Cashew kernels shall have been obtained through shelling and peeling cashewnuts ( <u>Anacardium occidentale</u> ) shall be reasonably dry and free from insect damage, damaged kernels, black spots and testa. The pieces may be light brown or deep ivory in color due to scorching as a result of overheating.
SS	Scorched splits	Kernels split naturally lengthwise	
SP	Scorched pieces	Kernels broken into pieces and not passing through a 4 mesh 16 SWG sieve.	
SSP	Scorched small pieces	Broken kernels smaller than those described as S.P. but not passing through a 6 mesh 20 SWG sieve.	

Tolerance: up to 5 percent of the next lower grade or pieces at the time  
of packing.

SCHEDULE VI

See rules 2(b) and 2(c)

Grade designations and definitions of quality  
of dessert cashew kernels pieces

Grade Designation	Trade Name	Description	Blemish	General characteristics
SPS	Scorched pieces seconds or scorched pieces 1A	Kernels broken into pieces but not passing through 4 mesh 16 SWG sieve.	Pieces of shrivelled kernels may be deformed due to immature nuts and black spots.	Cashew kernels shall have been obtained through shelling and peeling cashewnuts ( <u>Anacardium occidentale</u> ), shall be reasonably dry and free from insect damage and testa. Scorched
DP	Dessert pieces two	Kernels broken into pieces but not passing through 4 mesh 16 SWG sieve.	More shrivelled than those described as SPS and deeply scorched.	pieces with surface speckling and discoloring permitted. The kernels may be light brown, deep ivory or light to deep blue in color. The kernels shall be free from rancidity. May be deformed due to immature nuts and may have spots.
DSP	Dessert small pieces	Kernels of the same description as, but smaller than D. P. and not passing through 6 mesh 20 SWG sieve.		

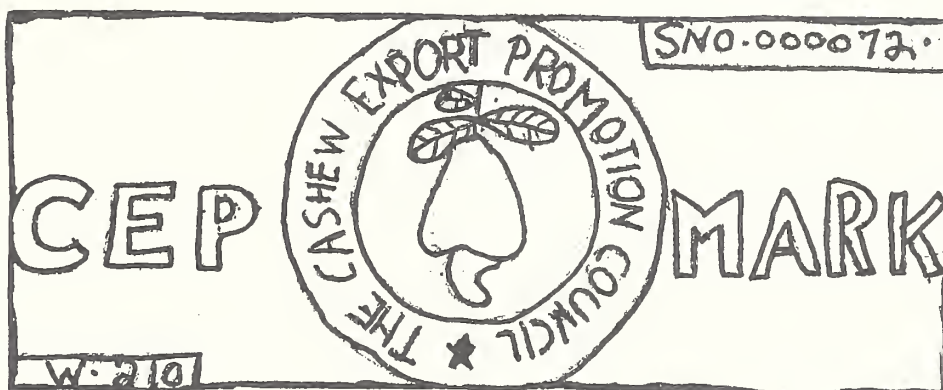
Tolerance: Up to 10 percent of the next lower grade at the time of packing.



SCHEDULE VII

See rule 4.1

This label shall be  $2\frac{1}{2}$ " x 1" with the Council's round emblem as the background, in the middle. A design of the same is given below:



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Set-up of Regional Offices and Posting of  
Inspecting Officers

See rule 10.1

			<u>JURISDICTION</u>
<u>Head Quarters</u>	COCHIN	Senior Inspector-1 Inspector-1	The entire country except the specific areas covered by regional offices.
<u>Regional Offices</u>	QUILON	Inspectors-1	The districts of Trivandrum, Quilon and Alleppey of Kerala State and Kanyakumari District of Madras State.
"	MANGALORE	Inspectors-2	Mysore State, Maharashtra & Goa.
"	CALICUT	Inspector-1	The district of Trichur, Palghat, Calicut and Cannanore of Kerala State.
"	EAST COAST	Inspectors-2	Andhra Pradesh and Madras State except Kanyakumari District.